

## Unauthorized Encampments on City Property: Frequently Asked Questions

### **1. What is the definition of “unauthorized encampment?”**

“Unauthorized encampment” means three or more unauthorized structures in an identifiable area which appears to be being used for unauthorized camping. An identifiable area includes areas where the structures are in sight of each other and/or areas where each structure is located within approximately 300 feet of another structure. A structure is anything constructed or erected on or under the ground, or any improvement built up or composed of parts joined together in some definite manner. Structures include, but are not limited to, buildings, lean-tos, tents, awnings, and tarps.

### **2. What is the definition of “unauthorized camping?”**

“Unauthorized camping” means erection of a tent or other shelter, or to assemble camping equipment and personal property on public and private property that, to a reasonable person, indicates a person has remained or intends to remain on the property overnight without proper permits or when the property is not open to the public. Camping equipment includes, but is not limited to tarps, blankets, sleeping bags, cooking equipment, and other items commonly associated with remaining overnight.

### **3. Who do people call for assistance?**

The Customer Service Bureau (CSB), 206-684-CITY (2489), is open from 8 am to 5 pm Monday through Friday, and individuals may call CSB for any reason. [After hours, leave a message and staff will contact you the next business day.]

### **4. What happens when an unauthorized encampment has been reported?**

If upon inspection, the City determines that an unauthorized encampment has been established on a site, staff will:

- Inform occupants that it is illegal to camp at this site.
- Post the area with a minimum 72-hour Notice and Order to Remove Personal Property prior to cleaning the area.
- Provide outreach services prior to removing the encampment.
- Sort and store, for up to 60 days, any remaining personal property in the area at the time of encampment removal.
- Post a notice that personal property has been removed, indicating the location of the storage facility where the owner can claim their personal property.

### **5. Are people living in cars unauthorized encampments?**

No. However, a vehicle can not remain parked on a street for more than 72 hours. After 72 hours, city regulations pertaining to abandoned vehicle(s) apply.

### **6. Are people allowed to stay overnight in an area that has been posted?**

It is illegal to remain on the City property overnight without proper permits or when the property is not open to the public.

***7. If someone is in a posted site, will he or she be arrested?***

Once a site has been posted, individuals may enter an encampment to remove personal items and get information about available services and shelter without risk of receiving a notice of exclusion or being charged with criminal trespass. Such permission may be denied to people who are the subject of an existing exclusion order. If the City property is closed to the public at certain times, the City may require such entry to occur during times the property is open to the public.

***8. Are there any circumstances when the City will not post a Minimum 72-Hour Notice at an unauthorized encampment?***

The Notice procedures do not apply to: (1) any items that are not personal property or are obstructions, or (2) to any encampment in which the authorizing official has reasonable suspicion that a person in the encampment is engaged in (a) a violent crime, (b) a felony drug delivery, or is in possession of weapons in the encampment.

***9. What plans are in place to provide shelter for people living in unauthorized encampments?***

The City's Human Services Department has arranged for additional beds at the Compass Center and overflow beds at the City Hall's Severe Weather Shelter.

***10. What are the procedures if an unauthorized encampment continues to recur?***

If an encampment recurs three times in one location within a 60-day period, the area will be permanently posted and a regular cleaning schedule will be maintained without further notice.

***11. How does the City ensure that belongings are not lost or destroyed?***

The City will collect, label and store for 60 days certain personal items found during cleanup. These items include any item that is (1) reasonably recognizable as belonging to a person; and (2) in its present condition has apparent utility; and (3) is not hazardous material. The label will indicate the location at which and the date on which the items were collected. An interim storage facility is located at Westbridge Warehouse, 4209 West Marginal Way S.W., ¾ mile south of the Spokane Street bus stop. An owner has up to 60 days to claim their property.

***12. What will the City do with belongings like tents, radios, eyeglasses, personal letters and documentation, and prescription medications?***

The City will collect, label and store these items up to 60 days if they are found during cleanup and uncontaminated.

***13. How will individuals know where to go to identify personal property?***

The City will post the site with a Notice of Recovered Property that will direct individuals to the CSB, 206-684-CITY (2489), for information and assistance regarding which storage facility has their item(s).

**14. *What proof of ownership will individuals need to show in order to retrieve personal property?***

Individuals will need to provide (1) a valid, personal, government issued photo identification card; (2) a complete description of each item they wish to claim, including unique identifying information; and (3) the location and date of the encampment removal.

**15. *How long has the City been dealing with unauthorized encampments?***

The City has been removing unauthorized encampments from public property for more than 15 years. While some of the removals have been in response to complaints from community members, other actions have been part of routine City property maintenance. With the Administrative Rule and Executive Order, the City is updating and improving its policies and procedures to assure that its response to unauthorized encampments is consistent, coordinated and compassionate.

**16. *What are the procedures for allowing encampments on private property?***

The new administrative rule and procedures on unauthorized encampments pertain primarily to such encampments on City-owned property. But if the City receives a complaint about an unauthorized encampment on private property, staff will refer the site to the City's Department of Planning and Development (DPD) for enforcement action under applicable City ordinances. DPD will work with the affected property owners(s) to complete removal of the encampment consistent with applicable laws.

**17. *Will outreach be provided to individuals who are camping illegally?***

Not necessarily. The Rule and Executive Order focus on encampments, which are defined in terms of three structures or more. The presence of structures suggests permanence. Also, as the number of structures in an area increases, risks to safety and health and interference with the intended uses of the property increase.

**18. *Who do people call to report an encampment?***

Call the City of Seattle's Customer Service Bureau (CSB) at 206-684- CITY (2489) or use the web form at <http://www.seattle.gov/customerservice/request.htm>.